

REMARKS

Claims 1-6 and 9-37 remain in the present application.

103 Rejections

The present Office Action indicates Claims 1-6, 9-37 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Cowan et al. (US Patent No. 6,115,743) in view of Smorgrav (US Patent No. 6,615,261). Applicant respectfully asserts that the present invention is neither shown nor suggested by the Cowan reference and the Smorgrav reference, alone or together. In addition, Applicant respectfully asserts there is no motivation or suggestion to combine the Cowan and Smorgrav reference to teach the present claimed invention.

Applicant respectfully submits that the Cowan reference fails to teach or suggest a system or method as recited in independent Claims 1, 12, 17, 26 and 31. Applicant respectfully reasserts that the Cowan reference fails to teach or suggest parsing gathered communication device information automatically. For example, amended Claim 1 recites in part (emphasis added):

parsing said gathered communication device information automatically,
including identifying portions of said communication device information
and correlating the portions of said communication device information to
an operation or characteristic of a device;

Applicant respectfully reasserts that the Cowan reference does not teach or suggest parsing gathered communication device information automatically. Applicant

respectfully reasserts that to the extent the Cowan reference may teach communication of commands and data, the Cowan reference teaches away from the present claimed parsing by indicting the commands and data generation requires significant user intervention [Col. 1 lines 28-35, Col. 2 lines 44-58, Col. 3 line 64 – Col. 4 line 11, Col. 5 lines 49-60, Col. 6 lines 30-35, Col. 7 lines 1-10, Col. 9 lines 23-67 and Col. 14 – 16].

The present Office Action alleges Smorgrav discloses using a parser [Col. 3 line 50 to Col. 4 line 47] to parse collected samples enabling for correlation of performance data so that graphical analysis may be performed [Col. 5 line 64 – Col. 6 line 37] to assist in network planning or trouble shooting, monitoring, as well as, generating readable reports [Col. 6 lines 32-38]. To the extent the Smorgrav reference may mention parsing of expressions describing derived objects in which values are defined as a mathematical function of real objects collected from the network elements [Col. 3 lines 40 – 59 and Col. 4 lines 24 – 27], Applicant respectfully asserts the Smorgrav reference does not teach parsing gathered communication device information automatically, including identifying portions of the communication device information and correlating the portions of the communication device information to an operation or characteristic of a network communications device, wherein the characteristic of the communications device is a configuration, performance or functionality characteristic. To the extent the Smorgrav reference is directed to parsing mathematical functions or expressions, Applicant respectfully asserts the Smorgrav reference does not teach identifying portions of the communication device information and correlating the portions of the communication device information to an operation or characteristic of a network.

Applicant respectfully reasserts that the Cowan reference fails to teach or suggest analyzing characteristics and operations of the network communication device automatically as claimed in the present application. Applicant respectfully reasserts that to the extent the Cowan reference may teach fault analysis to detect network outages [Col. 7 lines 1 – 10], the Cowan reference does not teach analyzing the characteristic and operations of the network communication device, including configuration, performance or functionality characteristics. In addition, Applicant respectfully asserts the Cowan reference teaches away from the present claimed analysis of the characteristics and operations of a network device by indicting the user sends commands and data implying the user does the analysis (abstract, col. lines 11-67, col. 3 line 64 – col. 5 line 56, col. 6 lines 30-67, col. 7 lines 1-10, col. 9 line 48 – col. 10 line 22, col. 10 line 65 – col. 11 line 58, col. 12 line 9 – col. 13 line 54, col. 14 line 29 – col. 15 line 9 and col. 16 lines 26-47).

The present Office Action alleges Smorgrav discloses using a parser [Col. 3 line 50 to Col. 4 line 47] to parse collected samples enabling for correlation of performance data so that graphical analysis may be performed [Col. 5 line 64 – Col. 6 line 37] to assist in network planning or trouble shooting, monitoring, as well as, generating readable reports [Col. 6 lines 32-38]. To the extent the Smorgrav reference may mention presenting data object to analysis tools [Col. 5 line 65 to Col. 6 line 11], Applicant respectfully asserts the Smorgrav reference does not teach analyzing characteristics and operations of the network communications device automatically, including configuration, performance or functionality characteristics as claimed in the present application.

Applicant respectfully asserts that claims 2 – 6 and 9 – 11, 13 –16, 18- 25, 27 – 30 and 32 – 37 are allowable as depending from allowable independent claims 1, 12, 17, 26 and 30 respectively.

Regarding Claims 5 and 29, the present Office Action alleges the Cowan reference teaches constructing queries by issuing protocol commands formatted in the appropriate syntax for the communication device. To the extent the Cowan reference may mention sending control signals [Col. 4 line 61 to Col. 5 line 19], Applicant respectfully asserts the Cowan reference does not teach automatically constructing queries by issuing protocol commands formatted in the appropriate syntax for the communication device as claimed in the present application.

Regarding Claim 6, the present Office Action alleges the Cowan reference teaches analyzing the performance of the communication device. To the extent the Cowan reference may mention the performance option when selected provides current and historical performance data on NIFTE processes [Col. 13 lines 8 –12], Applicant respectfully asserts the Cowan reference does not teach analyzing the performance of the communication device as claimed in the present application.

Regarding Claims 9 –11 the present Office Action alleges Cowan teaches network analysis tool, {sic} detecting unsolicited alarms. To the extent the Cowan reference may mention user interfacing in the several cited sections, Applicants respectfully asserts the Cowan reference does not teach analyzing parsed information. To the extent the Cowan reference may mention user terminals [Col. 2 lines 47-58] a GUI tool [Col. 6 lines 30-67] and an inference engine [Col. 7 line 4], Applicant respectfully asserts the Cowan

reference does not teach analyzing parsed information. To the extent the Cowan reference may mention unsolicited alarms, Applicant respectfully asserts the Cowan reference does not teach analyzing parsed information. To the extent the Cowan reference may mention a user can configure parameters that are read at startup and runtime [Col. 9 lines 50 – 55], Applicant respectfully asserts the Cowan reference does not teach analyzing parsed information. To the extent the Cowan reference may mention a user can receive alerts [Col. 10 lines 15 – 22], Applicant respectfully asserts the Cowan reference does not teach analyzing parsed information. Applicant respectfully asserts Cowan does not teach parsed communication device information is compared to values included in an expert network audit database of an intelligent backend as recited in Claim 10. Applicant respectfully asserts Cowan does not teach values included in the intelligent backend include thresholds parameters that indicate acceptable configuration, performance and functionality as recited in Claim 11.

With regards to claim 13, to the extent the Cowan reference may mention a device menu [Figure 16] to allow a user to select maintenance functions [Col. 12 lines 35 – 37], Applicant respectfully asserts the Cowan reference does not teach network communication device audit information includes device configuration information, performance level information, and identification of parameters that do not meet threshold levels.

With regards to claim 14, to the extent the Cowan reference may mention a pull down menu [Figure 11] that provides users with easy access to RTR system functions [Col. 11 lines 9 – 10], Applicant respectfully asserts the Cowan reference does not teach a network communication device audit report that has the same user friendly look and

feel for a variety of devices across different architectures and is organized in a manner that facilitates network management and maintenance. Applicant respectfully asserts that a pull down menu of a single RTR system does not teach a look and feel for a variety of devices across different architectures. In addition, to the extent the functions of the Cowan reference pull down menu are directed to guiding a user through RTR user interfaces such as a file option, refresh option, change password option, etc., [Col. 11 lines 9 – 59], Applicant respectfully asserts the Cowan reference does not teach a network communication device audit report that is organized in a manner that facilitates network management and maintenance.

Regarding Claim 15, to the extent Cowan reference may mention a fault analysis [Col. 7 lines 1 –10], an RTR GUI system provides real time displays [Col. 10 lines 12-22], a main menu of a GUI [Col. 10 line 65 to Col. 11 line 65], Applicant respectfully asserts the Cowan reference does not teach a network communication device audit report presents information associated with different areas of network management impact.

Regarding claims 18-23 and 32-36, the present Office Action acknowledges that the Cowan reference fails to show using net rules. Applicant respectfully asserts the Smorgrav reference does not overcome these and other shortcomings of the Cowan reference. The present Office Action alleges the Smorgrav discloses using a parser [Col. 3 line 50 - Col. 4 line 47] to parse collected samples enabling for correlation of performance data so that graphical analysis may be performed [Col. 5 line 64 – Col. 6 line 37] to assist in network planning or trouble shooting, monitoring, as well as, generating readable reports [Col. 6 lines 32-38]. To the extent the Smorgrav reference may mention parsing of expressions describing derived objects where the derived

objects are an object which values are defined as a mathematical function of real objects collected from the network elements [Col. 3 lines 40 – 59 and Col. 4 lines 24 – 27], Applicant respectfully asserts the Smorgrav reference does not teach determining the characteristics of a communication device, comparing the results to a set of established net rules, and identifying net rule exceptions.

With respect to Claim 19 and 33, To the extent the Smorgrav reference may mention parsing of expressions describing derived objects where the derived objects are an object which values are defined as a mathematical function of real objects collected from the network elements [Col. 3 lines 40 – 59 and Col. 4 lines 24 – 27], Applicant respectfully asserts the Smorgrav reference does not teach established net rules comprise definitions of predefined thresholds for acceptable tolerances associated with different characteristics of the communication device including different acceptable tolerances for components of an optical concentrator.

With respect to Claim 20 and 34, To the extent the Smorgrav reference may mention parsing of expressions describing derived objects where the derived objects are an object which values are defined as a mathematical function of real objects collected from the network elements [Col. 3 lines 40 – 59 and Col. 4 lines 24 – 27], Applicant respectfully asserts the Smorgrav reference does not teach a communication device audit methodology includes the assignment of net rule exception points (NREPS) to identified net rule exceptions.

With respect to Claim 11 and 35, To the extent the Smorgrav reference may mention parsing of expressions describing derived objects where the derived objects are

an object which values are defined as a mathematical function of real objects collected from the network elements [Col. 3 lines 40 – 59 and Col. 4 lines 24 – 27], Applicant respectfully asserts the Smorgrav reference does not teach net rule exception points are used to identify problems and potential problems.

Regarding Claim 24, to the extent the Cowan reference may mention a user sends instructions and receives back data related to the status of network devices [abstract, Col. 2 lines 11-67, Col. 3 line 64 – Col. 5 line 56, Col. 6 line 30-67, Col. 7 lines 1-10, Col. 9 line 48 – Col. 10 line 22, Col. 10 line 65 – Col. 11 line 58, Col. 12 line 9 – Col 13 line 54, Col.14 line 29 – Col. 15 line 9, Col. 16 lines 26 –47 and Figure 11], Applicant respectfully asserts the Cowan reference does not teach an intelligent backend identifies potential causes of a problem.

Regarding claims 25, 30 and 37, previous Office Actions acknowledged that the Cowan reference failed to show providing a suggestive course of action for a problem. Applicant respectfully reasserts that the Smorgrav reference does not overcome these and other shortcomings of the Cowan reference. To the extent the Smorgrav reference may mention data collected can be exploited by report generators, correlation tools and systems that can respond to anomalies by actively doing reconfiguration to solve a detected problem [Col. 1 lines 27 – 30] , Applicant respectfully assert the Smorgrav reference does not teach providing a suggested corrective course of action for a problem as claimed in the present application.

Thus, Applicant respectfully asserts the present Claimed invention is neither shown nor suggested by the Cowan nor Smorgrav references, alone or together

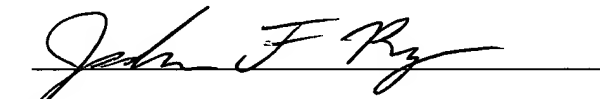
Conclusion

In light of the above-listed amendments and remarks, Applicant respectfully requests allowance of the remaining Claims. The examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "John F. Ryan", written over a horizontal line.

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